



Department of Pesticide Regulation



Paul Helliher
Director

Gray Davis
Governor
Winston H. Hickox
Secretary, California
Environmental
Protection Agency

February 6, 2003

TO: Interested Parties

SUBJECT: METHYL BROMIDE FIELD FUMIGATION REGULATIONS

I would like to provide you with the status of the Department of Pesticide Regulation's (DPR's) efforts to readopt the methyl bromide field fumigation regulations. In the *Ventura County Agricultural Association v. DPR* case (consolidated with the *Environmental Defense Center v. DPR* case), the court found that DPR failed to consult adequately with the California Department of Food and Agriculture (CDFA) as required by law and a 1992 memorandum of agreement, and voided the regulations. In settling the *Carrillo v. DPR and Monterey County Agricultural Commissioner* case, DPR agreed to review and consider the regulation of subchronic exposure to methyl bromide when it repromulgates the regulations as a result of the ruling in the *Ventura County Agricultural Association v. DPR* case. We plan to propose the regulations by mid-May. Key milestones to meet that objective are:

February

- A public workshop will be held February 26, 2003, to present staff analysis of the significant endpoints for subchronic exposures to methyl bromide. We will be soliciting comments on the appropriate regulatory target value we should use in the regulations to address subchronic exposures. A notice will be distributed soon regarding this workshop.

March

- We will continue consultations with CDFA on the regulations we intend to notice.
- We will complete our consultations with other state agencies, air pollution control districts, county agricultural commissioners, the University of California, and others. We expect to give these agencies about three weeks to review our regulatory approach.

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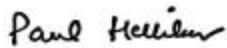
April

- We will respond to comments received from our consultations and finalize the proposal.
- We will begin internal routing of the proposed regulations.

May

- We will file proposed regulations with the Office of Administrative Law. The public comment period will begin in mid-May. Hearings will be held in the central coast and central valley areas, as well as Sacramento.
- Current emergency regulations will expire, so we will readopt them.

Sincerely,

A handwritten signature in dark ink, appearing to read "Paul Helliker". The signature is written in a cursive, slightly slanted style.

Paul Helliker
Director
(916) 445-4000